

PROTOCOL
of the Polish - Latvian Joint Committee meeting on
international road transport
(Warsaw, 6th – 7th September 2017)

On 6th – 7th September 2017 in Warsaw a meeting of the Polish-Latvian Joint Committee on international road transport took place.

The compositions of the delegations are attached to this Protocol.

Delegations agreed on the following agenda:

1. Exchange of information on economic cooperation between Poland and Latvia and development of road transport industry in both countries.
2. Carriage of goods to/from the third countries, determination of the 2017 quota and the initial exchange of permits for 2018.
3. Carriage of passengers by road.
4. Cooperation within the framework of the United Nations Economic Commission for Europe in Geneva (UNECE).
5. Any other business, including:
 - a) Cooperation within the European Union, including the exchange of information and views on proposals for the EU Mobility Package;
 - b) Cooperation within the International Transport Forum (ITF/ECMT).

To the first point

The parties exchanged information on economic and investment cooperation and trade between the two countries.

The level of trade was praised, despite its slight decrease over the past two years.

The parties exchanged information on the development of road transport performed by hauliers of both countries. Systematic improvement of the environmental performance of rolling stock owned by entrepreneurs was positively assessed.

In the context of the Latvian national passenger transport statistics, the parties discussed the functioning and principles of organizing public passenger transport in both countries. Each delegation presented the current situation in this type of transport and future plans related to ensuring transport consistency throughout the state.

To the second point

The Parties confirmed that the quota of permits for transport to/from the third countries currently amounts to 500 permits for each party.

Delegations exchanged information on the use of permits for 2016 and 8 months of 2017.

The Polish side noted the decrease in the demand for Latvian permits. In 2016, only 78 Latvian permits were issued to the Polish carriers, whereas 60 such permits were issued this year.



In 2016, all Polish permits were issued, while in eight months of 2017 436 permits were issued. The Latvian delegation sent the Polish delegation 211 control sections for Polish permits as used by the Latvian hauliers in 2017.

The Polish delegation proposed to maintain the quota of permits for transport to/from the third countries at the current level due to their small use by the Polish carriers.

The Latvian Party requested additional 250 permits for 2017.

As a result of the discussions, the parties agreed that the final quota for transport to/from the third countries for 2017 will be 600 permits for each party. The quota as above will constitute the initial quota of permits for 2018.

Accordingly, the Polish delegation handed over 100 permits to be used in 2017 during the Joint Committee meeting to the Latvian side and the Latvian side shall transfer the same number of permits to the Polish side via the diplomatic channels.

The parties agreed that all permits issued for the current year shall be valid till the 31st January of the coming year.

The Latvian Party declared that every 2 months, it will transmit control sections of the used Polish permits to the following address:

Główny Inspektorat Transportu Drogowego
Biuro ds Transportu Międzynarodowego
Al. Jerozolimskie 94
00-807 Warszawa

The parties confirmed that, as a matter of principle, the mode of carriage by road should be determined primarily by the place of loading and unloading of goods, which appear on the CMR consignment note.

At the same time, the parties agreed that instances of abuse of this principle and performing haulage which actually constitutes transport to/from third countries without permits will be eliminated.

To the third point

The parties exchanged data on the existing regular passenger routes by road which involve territories in both countries.

The parties welcomed the cooperation in the road transport of passengers, carried out by bus operators of both parties.

The Latvian party informed about their decision to extend the transitional period for the exclusion of bus routes to the third countries from the scope of the EU Regulation 181/2011 on passenger rights in bus transport.

The Polish delegation informed that Poland did not apply the exclusions provided for in the above mentioned regulation and its provisions are applied to the full extent.

To the fourth point

Both parties confirmed that they had submitted a joint proposal amending the Revised Consolidated Resolution on the Facilitation of International Road Transport (RE.4) (TRANS/SC.1/2002/4/Rev.4), by adding the definition of bilateral transport to the existing text of the Resolution.



The parties agreed to continue joint efforts aimed at the adoption by the United Nations Economic Commission for Europe in Geneva of changes to the above mentioned Resolution and will seek support from other countries in this case.

To the fifth point

The parties discussed cooperation within the European Union. Both delegations expressed a critical opinion on the legislative proposals of the European Commission presented in the framework of the Mobility Package which in practice legitimize the actions of some Member States seeking to eliminate the hauliers of our region from the market.

Both parties negatively assessed the proposal to limit the time envisaged for carrying out cabotage operations to 5 days, as well as a number of issues related to working time and rest periods for drivers and proposed changes to the posting rules. The parties agree that the provisions of Directive 96/71 on the posting of workers in the context of the provision of services do not concern road transport, given the specific nature of the industry.

In the opinion of the Polish side, the introduction of these proposals in the currently proposed version would be extremely disruptive for the road transport industry in the Central and Eastern European countries and would jeopardize its continued existence in the international markets.

The parties agreed to cooperate on the presentation and promotion of the position of Central and Eastern European states on the forum of the EU institutions on the Mobility Package.

The parties stated that they will agree on an ongoing basis when needed on the Mobility Package and will hold consultations on this matter prior to the meetings of the relevant working groups and other EU bodies.

The parties exchanged views on the functioning of the multilateral quota of the ECMT permits and critically assessed the territorial restrictions applied by some Member States of the International Transport Forum (ITF) regarding the feasibility of using these permits.

The parties expressed their hope that the Quality Charter will fulfill its purpose and will contribute to the development of road transport on the basis of the ECMT permits, and will contribute to the abolition of territorial restrictions on the use of multilateral permits.

Discussions were conducted in a constructive and friendly atmosphere. The Latvian delegation invited the Polish delegation to the next meeting in Latvia. The date of the meeting will be agreed by correspondence.

The Protocol was drawn up in Warsaw on 7th September 2017 in two identical copies in the Polish and English languages.

President
of the Polish delegation

Bogdan Oleksiak

President
of the Latvian delegation

Annija Novikova